

### **REMARKS**

This is in response to the Office Action of June 5, 2008. Claim 1 is amended to recite the amount of the undercoating layer, based upon paragraph [0169] in the specification. Claim 5 is amended to recite the presence of an undercoat layer. Claim 5 is also amended to recite the feature of claim 6, and accordingly, claim 6 is cancelled, without prejudice. Support for the amendment of claim 5 is also found in specification paragraphs [0169], [0274], [0292], and [0293]. Dependent claim 7 is amended as a result of the foregoing changes. Claim 12 is rewritten in independent form. No new matter is introduced by this Amendment. Claims 1-5, 7, 8, and 12-14 are now pending in this application.

#### **Rejection over Sugasaki**

Claims 5-8, 13, and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by US 2003/0207204 A1 (Sugasaki). Office Action, pages 2-4. To the extent that it might be applied to claims 5, 7, 8, 13, and 14 in their current form, the rejection is respectfully traversed. Sugasaki does not disclose a planographic printing plate precursor in which a copolymer having a repeating unit containing at least one polymerizable group and a repeating unit containing at least one support adsorptive group is contained in the undercoat layer, rather than in the image-recording layer. Accordingly, since Sugasaki does not provide all of the features of the present claims, the Sugasaki reference is not anticipatory thereof.

#### **Rejections over Sugasaki in view of Higashi**

Claims 1, 2, 4, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US 2003/0207204 A1 (Sugasaki) in view of US 2003/0049564 A1 (Higashi) and further in view of JP 2003-223007 (Sunichi). Office Action, pages 4-7. Claim 3 was rejected as being unpatentable over Sugasaki in view of Higashi and Sunichi and US 2002/0180944 A1 (Fujii). Office Action, pages 7-9. It is respectfully submitted that these grounds of rejection do not apply to claims 1-4 and 12 in their current form.

Sugasaki does not disclose a planographic printing plate precursor in which a compound having a polymerizable group, a group of the formula  $\text{OPO}_3\text{H}_2$ , and a group of the formula  $(\text{OCH}_2\text{CH}_2)_n$  wherein  $n$  is 1 to 50 is contained in the undercoat layer rather than in the image-recording layer. The Examiner relies upon Higashi to remedy the deficiencies of the Sugasaki reference.

However, although Higashi discloses PHOSMER PE8 as noted by the Examiner, PHOSMER PE8 is not a high molecular weight compound. As can be seen, for instance, by comparing working Example 15 in the present application (using a low molecular weight compound) to working Examples 16-18 in the present application (using high molecular weight compounds), printing durability is significantly improved when high molecular weight compounds are used.

Moreover, Higashi teaches mixtures of sol-gel solutions containing PHOSMER PE8. Higashi fails to teach or suggest any embodiment in which the undercoating layer consists essentially of a compound having a polymerizable group, a group of the formula  $\text{OPO}_3\text{H}_2$ , and a group of the formula  $(\text{OCH}_2\text{CH}_2)_n$  wherein  $n$  is 1 to 50, the coating amount of the undercoat layer after drying being from 1 to  $30 \text{ mg/m}^2$ .

Accordingly, the inventions of claims 1-4 and 12 are not rendered unpatentable by any combination of the Sugasaki, Higashi, Sunichi, and Fujii references.

### Conclusion

Favorable reconsideration of the merits of claims 1-5, 7, 8, and 12-14 in their present form is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard Gallagher (Registration

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No. 28,781) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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